

**STATE OF NEVADA  
BOARD OF EXAMINERS  
FOR LONG TERM CARE ADMINISTRATORS**

**MINUTES OF QUARTERLY MEETING  
AUGUST 25, 2005  
4600 KIETZKE LANE  
ROOM B111  
RENO, NV 89502**

1. THE MEETING WAS CALLED TO ORDER BY MARGARET MCCONNELL, CHAIRPERSON, AT 9:30 A.M.
2. TERRY PEDROTTI, EXECUTIVE SECRETARY, CALLED THE ROLL:

BOARD MEMBERS PRESENT:

MARGARET MCCONNELL  
DONNA ROSE  
CAROL SALA  
TERRY CLODT

DOUGLAS R. SINCLAIR  
MARY ELLEN WILKINSON  
ARNOLD GREENHOUSE, M. D.

STAFF:

CHARLOTTE M. BIBLE

TERRY PEDROTTI

GUESTS:

DEBORAH BAGNATO, BLC CARSON CITY

MARGARET MCCONNELL WELCOMED MS. BAGNATO AND SUGGESTED SHE MIGHT PARTICIPATE IN THE MEETING SINCE NO OTHER GUESTS HAD ATTENDED.

MS. MCCONNELL STATED THAT AGENDA ITEMS WOULD BE TAKEN OUT OF ORDER TO ACCOMPLISH BUSINESS IN THE MOST EFFICIENT MANNER.

3.\*\* DONNA ROSE GAVE THE SECRETARY/TREASURER'S REPORTS:

A. MINUTES OF THE BOARD MEETING OF MAY 12, 2005 HAD BEEN DISTRIBUTED PREVIOUSLY TO THE BOARD MEMBERS. MS. ROSE ASKED IF THERE WERE ANY ADDITIONS, CORRECTIONS OR DELETIONS. THERE WERE NONE. MS. ROSE REQUESTED A MOTION. DOUGLAS SINCLAIR MOVED TO ACCEPT THE MINUTES AS WRITTEN. MARY ELLEN WILKINSON SECONDED THE MOTION. THERE WAS NO DISCUSSION AND THE MOTION WAS CARRIED.

B. FINANCIAL REPORTS:

1. NET WORTH AS OF JUNE 30, 2005;
2. FINANCIAL COMPARISON REPORT;
3. FOURTH QUARTER REPORT.
4. BUDGET PROJECTIONS FISCAL JULY 1, 2005 – JUNE 30, 2006.

TERRY PEDROTTI EXPLAINED THAT IN PREPARING THE PROJECTIONS, SHE HAD BEEN CONSERVATIVE IN ESTIMATING INCOME, IN ORDER TO AVOID SHOWING A LOSS, IF POSSIBLE, FOR FISCAL 2005 – 2006. WHILE RENEWALS ARE HISTORICALLY MORE NUMEROUS DURING ODD-NUMBERED YEARS, ATTRITION MUST ALSO BE TAKEN INTO CONSIDERATION. MS. PEDROTTI EXPLAINED THAT THE NUMBER OF APPLICANTS FOR NURSING FACILITY ADMINISTRATORS HAS INCREASED. THERE WERE NO FURTHER QUESTIONS OR DISCUSSION. DONNA ROSE REQUESTED A MOTION. MARY ELLEN WILKINSON MOVED TO ACCEPT THE FINANCIAL REPORTS AS PRESENTED. DOUGLAS SINCLAIR SECONDED THE MOTION. THE MOTION WAS CARRIED.

4.\*\* ADMINISTRATIVE REPORT – TERRY PEDROTTI

A. QUARTERLY LICENSEE ACTIVITY REPORT:

TERRY PEDROTTI EXPLAINED THAT INACTIVE STATUS REQUESTS ARE SHOWING A SLIGHT INCREASE, MOSTLY FROM RESIDENTIAL FACILITY LICENSEES WHO HAVE HELD LICENSES SINCE 1995. RESIDENTIAL FACILITY ADMINISTRATOR APPLICANTS HAVE LESSENNED, WHILE APPLICANTS FOR NURSING FACILITY ADMINISTRATORS HAS INCREASED. MS. PEDROTTI WENT ON TO EXPLAIN THAT REQUESTS FOR APPLICATIONS ALWAYS EXCEED ACTUAL APPLICATIONS, AND THIS IS A NORMAL SEQUENCE OF EVENTS.

MS. PEDROTTI STATED THAT FILING SPACE FOR ACTIVE MATTERS IS BECOMING A BIT OF A PROBLEM. MARY ELLEN WILKINSON SUGGESTED THE BOARD MIGHT WANT TO CONSIDER ARCHIVING SOME OF THE FILES SO AS TO DECREASE THE AMOUNT OF FILING

SPACE. MARGARET MCCONNELL SUGGESTED THE METHOD OF ARCHIVING SHOULD BE ADDRESSED AT THE NEXT QUARTERLY BOARD MEETING.

5.\*\* ADMINISTRATOR LICENSES ISSUED

- A. NFA LICENSES:
  - 1. DELK, KELLY J.
  - 2. GANN, DAVID
  - 3. PETERSEN, RONALD
  - 4. PROVO, ROSEMARY
  - 5. VINCENT, JAMES P.

ALL REQUIREMENTS HAD BEEN MET FOR NURSING FACILITY ADMINISTRATOR APPLICANTS, AND MARGARET MCCONNELL REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO ISSUE LICENSES TO THE NAMED APPLICANTS. TERRY CLODT SECONDED THE MOTION. THE MOTION WAS CARRIED.

- B. RFA LICENSES:
  - 1. ARCIAGA, JOEL
  - 2. EAGLETON, CONNIE L.
  - 3. FARIAS, AUGUSTINE
  - 4. KANOFF, CATHERINE
  - 5. LEVY, MARY

ALL REQUIREMENTS HAVING BEEN MET FOR RESIDENTIAL FACILITY ADMINISTRATOR APPLICANTS, MARGARET MCCONNELL REQUESTED A MOTION. DOUGLAS SINCLAIR MOVED TO ISSUE LICENSES TO THE NAMED APPLICANTS. ARNOLD GREENHOUSE SECONDED THE MOTION. THE MOTION WAS CARRIED.

- C. INACTIVE REQUESTS:
  - 1. ATKIN, GARY G., RFA
  - 2. CALIMA, FLOCERFINA, RFA
  - 3. JACKSON, WANDA Y., RFA
  - 4. MCDONALD, SERENA, RFA

THE LICENSEES HAD MET REQUIREMENTS AND MARGARET MCCONNELL REQUESTED A MOTION. DOUGLAS SINCLAIR MOVED TO ACCEPT THE REQUESTS FOR INACTIVE STATUS. ARNOLD GREENHOUSE SECONDED THE MOTION. THE MOTION WAS CARRIED.

6.\*\* UNFINISHED BUSINESS:

A. CONSIDERATION OF REQUEST FOR EXTENSION OF TIME TO PAY COSTS AND/OR TO MODIFY FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER IN THE MATTER OF PAMELA A. SMITH, CASE NO. B35826 REGARDING PAYMENT OF COSTS:

MARGARET MCCONNELL ASKED CHARLOTTE BIBLE, CHIEF DEPUTY ATTORNEY GENERAL, TO EXPLAIN THE HISTORY OF THE ISSUE OF PAMELA A. SMITH. MS. BIBLE STATED THAT PAMELA SMITH, ON JUNE 13, 2005, REQUESTED AN EXTENSION OF TIME FOR 90 DAYS TO PAY THE LEGAL FEES THAT WOULD BECOME DUE AND PAYABLE ON JUNE 18, 2005, IN THE AMOUNT OF \$1,439.71. MS. SMITH DID PAY THE \$700.00 FINE PRIOR TO THE TIME SET FORTH IN HER ORDER. A LETTER WAS SENT TO MS. SMITH STATING THAT AN EXTENSION COULD NOT BE GRANTED WITHOUT BOARD APPROVAL, AND SUGGESTED SHE MIGHT WISH TO MAKE PARTIAL PAYMENTS TOWARD THE LEGAL FEES TO SHOW GOOD FAITH. NO PAYMENTS HAVE BEEN MADE TO DATE. MS. SMITH WAS PERSONALLY SERVED WITH A NOTICE TO APPEAR AT THE BOARD MEETING, AS HER NAME WOULD BE ON THE AGENDA. MS. SMITH DID NOT RESPOND TO EITHER NOTICE.

A DISCUSSION FOLLOWED IN WHICH THE QUESTION WAS RAISED AS TO WHAT OPTIONS THE BOARD HAS SINCE PAMELA SMITH HAS CHOSEN TO DISREGARD THE LETTER AND THE NOTICE. SEVERAL OPTIONS WERE DISCUSSED. A SUGGESTION WAS MADE THAT A LETTER BE WRITTEN TO MS. SMITH, AND HAND-DELIVERED, STATING THAT NO EXTENSION OF TIME WAS GRANTED BY THE BOARD AND ALL FEES AND COSTS ARE TO BE PAID IN FULL IMMEDIATELY OR FURTHER ACTION WILL BE TAKEN UP TO AND INCLUDING REVOCATION OF HER LICENSE.

MARY ELLEN WILKINSON MOVED THAT THE BOARD DENY THE REQUEST OF AN EXTENSION OF TIME, AND PAYMENT IN FULL IS TO BE MADE WITHIN FIVE (5) DAYS OF RECEIPT OF THE NOTIFICATION. FAILURE TO COMPLY WILL RESULT IN DISCIPLINARY ACTION THAT WILL INCLUDE INCREASED FEES UP TO AND INCLUDING REVOCATION OF HER RESIDENTIAL FACILITY ADMINISTRATOR'S LICENSE, AND THE FACILITIES CURRENTLY OPERATED UNDER HER LICENSE WILL RECEIVE NOTIFICATION OF THIS ACTION. DOUGLAS SINCLAIR SECONDED THE MOTION. TERRY CLODT ABSTAINED, AND THE MOTION WAS CARRIED.

B. AIT TRAINING AND PRECEPTOR TRAINING – DONNA ROSE

DONNA ROSE PRESENTED THE NAB AIT PROGRAM AND STATED THAT SINCE MOST OF THE PRESENT ADMINISTRATORS ADHERE TO THE NAB PROGRAM, IT SHOULD NOT BE NECESSARY FOR THE BOARD TO REWRITE THE PROGRAM, AND IT SHOULD SIMPLY OFFICIALLY ADOPT THE NAB PROGRAM. A DISCUSSION FOLLOWED IN WHICH IT WAS ALSO SUGGESTED THAT BOARD MEMBERS MONITOR THE AIT WHILE IN THE PROCESS TO MAKE CERTAIN THAT APPROPRIATE PROGRESS IS BEING MADE. A FURTHER SUGGESTION WAS MADE THAT ALL FACILITIES BE NOTIFIED THAT EFFECTIVE WITHIN A SPECIFIED PERIOD OF TIME, THE ADOPTED CURRICULUM WILL BE THE ONLY ACCEPTABLE AIT PROGRAM IN NEVADA.

CHARLOTTE BIBLE STATED THAT IN ORDER TO IMPLEMENT A PROGRAM THAT WILL BECOME A GENERAL RULE, THE BOARD NEEDS TO MODIFY THE RULES AND REGULATIONS. THEREFORE, A PUBLIC HEARING WOULD BE NEEDED TO AMEND THE RULES AND REGULATIONS. ALSO, IT WAS RECOMMENDED THAT THE ADMINISTRATOR WHO PROVIDES THE AIT TRAINING SHOULD BE LICENSED FOR 2 YEARS, RATHER THAN THE 1 YEAR CURRENTLY SPECIFIED IN THE RULES AND REGULATIONS. THE CHANGE SHOULD ALSO REFLECT THAT MONITORING BY BOARD MEMBERS OF THE AIT APPLICANT WHILE IN TRAINING WILL BE CONDUCTED.

CHARLOTTE BIBLE STATED THAT A PUBLIC WORKSHOP AND ADOPTION HEARING COULD BE HELD AT THE NEXT MEETING TO FACILITATE THE IMPLEMENTATION OF THE PROGRAM. MS. BIBLE STATED SHE WOULD WORK WITH DONNA TO DRAFT THE LANGUAGE FOR THE AMENDMENT.

DONNA ROSE MOVED TO BRING THE ADOPTION OF THE NAB PROGRAM, TO BE CONSIDERED AS AN AMENDMENT TO THE RULES AND REGULATIONS, TO THE NEXT QUARTERLY BOARD MEETING. DOUGLAS SINCLAIR SECONDED THE MOTION. THE MOTION WAS CARRIED.

C. THE ISSUE OF NFA'S ALSO SERVING AS RFA'S AND LIMITATION ON THE NUMBER BEDS OR OTHER RESTRICTIONS:  
MARGARET MCCONNELL STATED THAT IN THE RECENT PAST, AN OCCASION AROSE WHERE THE NURSING FACILITY ADMINISTRATOR OF A LARGE NURSING HOME BECAME THE ADMININSTRATOR OF A RESIDENTIAL FACILITY THAT HAD 120 BEDS. THE COMBINED NUMBER OF BEDS, WITH THE NURSING FACILITY'S NUMBER OF BEDS, EXCEEDED THE STIPULATION IN NAC 654.250 THAT A RFA ADMINISTRATOR COULD ONLY SUPERVISE 150 BEDS. THE FEASIBILITY OF AN INDIVIDUAL SUPERVISING MORE THAN 150 BEDS AND COULD DO SO EFFECTIVELY WAS DISCUSSED. THE STATUTES ARE VAGUE AND THE BOARD MEMBERS WERE ASKED TO GIVE THEIR OPINIONS.

IN THE DISCUSSION THAT FOLLOWED, THE GENERAL CONSENSUS WAS THAT IT IS NOT THE NUMBERS OF BEDS AND/OR PATIENTS, IT IS THE PROFESSIONALISM AND ABILITY OF THE ADMINISTRATOR TO SUPERVISE THAT IS MORE IMPORTANT THAN THE NUMBER OF BEDS OR PATIENTS. IT WAS SUGGESTED THAT LANGUAGE COULD BE ADDED TO THE RULES, ALLOWING FOR A WAIVER OF THE 150-BED RESTRICTION FOR RFA ADMINISTRATORS BY REQUESTING BOARD APPROVAL. .

DOUGLAS SINCLAIR MOVED THAT A PROPOSED REGULATION IS BROUGHT BACK AT THE NEXT MEETING TO GRANT A VARIANCE, AFTER BEING REVIEWED BY THE BOARD, TO THE RFA ADMINISTRATOR WHO REQUESTS A WAIVER TO THE 150-BED RESTRICTION. MARY ELLEN WILKINSON SECONDED THE MOTION. THE MOTION WAS CARRIED.

D. TEMPORARY RESOLUTION RE FINE SCHEDULE – CHARLOTTE M. BIBLE

CHARLOTTE BIBLE STATED THERE ARE NO ESTABLISHED SCHEDULES FOR FINES THAT SHE HAS BEEN ABLE TO DISCOVER. THUS, SHE SUGGESTED THAT FINES BE SET ON A CASE-BY-CASE BASIS, WHEN DISCIPLINARY ACTIONS ARE TAKEN.

E. RC/AL PRE-LINCENSURE TRAINING – NGEC:

MARGARET MCCONNELL ADVISED THAT SHE HAS BEEN COORDINATING WITH PATTI SWAGER OF THE NEVADA GERIATRIC EDUCATION CENTER. A TELECONFERENCE CALL HAS BEEN SCHEDULED FOR SEPTEMBER 27, 2005. MS. SWAGER HAS ORGANIZED A COMMITTEE CONSISTING OF DEBORAH BAGNATO, DOUGLAS SINCLAIR, MARGARET MCCONNELL, DELL WILLIAMS, RON BRADLEY, AND LYNN HOMNICK WHO WILL BE REVIEWING OTHER STATES' REQUIREMENTS FOR TRAINING. BASED ON THE COMMITTEE'S INPUT, MS. SWAGER WILL BRING PROPOSALS TO THE BOARD FOR ITS APPROVAL FOR HANDS-ON TRAINING.

DONNA ROSE PROVIDED NAB'S 5-STEP RC/AL TRAINING FOR CONSIDERATION BY THE COMMITTEE. TERRY PEDROTTI WAS ASKED TO OBTAIN ENOUGH COPIES FROM NAB FOR EACH OF THE MEMBERS OF THE COMMITTEE FOR CONSIDERATION.

7.\*\* NEW BUSINESS:

A. FORFEITURE OF LICENSE FEES WITHUT ACTION BY APPLICANT AFTER ONE YEAR:

DOUGLAS SINCLAIR ADVISED THE BOARD THAT THERE ARE QUITE A NUMBER OF RFA APPLICANTS WHO HAVE PAID ALL OF THE REQUIRED FEES, EXCEPT THE TESTING FEES, AND FROM WHOM WE DO NOT HEAR AGAIN, SOMETIMES FOR AS LONG AS 2 OR 3 OR MORE YEARS. MR. SINCLAIR, SUGGESTED ADDING LANGUAGE TO THE RFA INSTRUCTION DOCUMENT THAT GOES OUT WITH AN APPLICATION, THAT STATES THE INITIAL LICENSE FEE OF \$200.00 WILL BE FORFEITED, IF NO FURTHER ACTION IS TAKEN WITHIN A ONE-YEAR TIMEFRAME. THAT COULD ELIMINATE THE PROBLEM. AFTER A DISCUSSION, CHARLOTTE BIBLE SUGGESTED THAT CHANGING THE LANGUAGE IN THE NAC 654.152 1. TO READ, "ALL FEES ARE NON-REFUNDABLE IF ALL REQUIREMENTS ARE NOT MET WITHIN A ONE-YEAR TIMEFRAME". THE CHANGE WOULD BE ADDED TO THE PROPOSED AMENDMENTS FOR THE PUBLIC WORKSHOP AND PUBLIC HEARING.

B. NAB NHA LICENSE ENDORSEMENT POLICY:

MARGARET MCCONNELL EXPLAINED THE NAB NHA LICENSE ENDORSEMENT POLICY STANDARDIZED THE RECIPROCITY ISSUE. NEVADA'S PRESENT REQUIREMENTS EXCEED THOSE OF NAB'S POLICY WHICH HAS SET A VERY HIGH STANDARD. ONE OF THE PRESENT ISSUES WITH THE NEVADA REQUIREMENTS IS THAT OF A MINIMUM OF 1,000 HOURS OF AN AIT PROGRAM. THIS BOARD HAS DENIED THE LICENSE, IN SOME INSTANCES, BECAUSE OF THE LACK OF THE REQUIRED HOURS OVER 2 YEARS OR MORE EXPERIENCE,. MS. MCCONNELL SUGGESTED A MODIFICATION OF THE REGULATION NAC 654.100 1. (2) AT THE PUBLIC WORKSHOP/PUBLIC HEARING WOULD BE APPROPRIATE.

C. BUREAU OF LINCENSURE AND CERTIFICATION BACKGROUND CHECK PROGRAM:

MARGARET MCCONNELL ASKED DEBORAH BAGNATO TO EXPLAIN THE PILOT PROGRAM BEING CONSIDERED BY BLC REGARDING THE LIVE-SCAN FINGERPRINT PROCEDURE FOR BACKGROUND CHECKS. MS. BAGNATO STATED THAT BLC HAS

RECEIVED THE GRANT FOR THE PURCHASE OF THE ELECTRONIC EQUIPMENT. THE GOAL IS TO BE ABLE TO HAVE THE MACHINES AVAILABLE, ESPECIALLY IN RURAL AREAS, SO THAT FINGERPRINTS CAN BE DONE ELECTRONICALLY AND SENT TO THE REPOSITORY FOR THE BACKGROUND CHECKS. THE ELECTRONIC FINGERPRINTS ARE MORE LEGIBLE AND MORE ACCURATE. IT IS HOPED THAT EVENTUALLY SOME OF THE LARGER FACILITIES WILL PURCHASE THE MACHINES AND MAKE THE PROCEDURES AVAILABLE TO THOSE WHO ARE REQUIRED TO HAVE BACKGROUND CHECKS. THE FINGERPRINTS WILL STILL GO TO THE REPOSITORY ELECTRONICALLY FOR THE CHECKING. ULTIMATELY, THE GOAL IS TO BE ABLE TO GO ONLINE, WITH THE APPROPRIATE CREDENTIALS, TO OBTAIN BACKGROUND CHECKS.

MARGARET MCCONNELL REQUESTED A 10-MINUTE BREAK AT 11:00 A.M.  
THE MEETING WAS RESUMED AT 11:10 A.M.

MS. MCCONNELL ADVISED THAT THE NEXT BOARD MEETING COULD BE AN ALL-DAY MEETING BECAUSE OF THE BOARD MEETING, PUBLIC WORKSHOP AND PUBLIC HEARING TO ADOPT THE CHANGES. CHARLOTTE BIBLE STATED THAT THE OTHER SCENARIO WOULD BE TO HOLD THE WORKSHOP, FOLLOWED BY THE PUBLIC HEARING FOR THE ADOPTION OF THE AMENDMENTS, FOLLOWED BY THE BOARD MEETING. MS. MCCONNELL STATED THAT IF ANY DISCIPLINARY MATTERS WERE TO BE HELD, THEY SHOULD PROBABLY BE HELD AT A SPECIAL MEETING.

8.\*\* CHARLOTTE BIBLE EXPLAINED THE LEGISLATIVE CHANGES REGARDING THE OPEN MEETING LAW ADOPTED AT THE LAST LEGISLATIVE SESSION. MS. BIBLE STATED THAT NOT MANY OF THE CHANGES ENACTED AFFECT THIS BOARD. BOARDS CAN GO INTO "CLOSED" SESSION TO CONSIDER EVIDENCE, BUT NOT TO MAKE A DECISION REGARDING SUCH EVIDENCE. A MAJOR CHANGE THAT WAS ENACTED IS THAT ALL LICENSEES WHO ARE BROUGHT BEFORE THE BOARD FOR DISCIPLINARY ACTION MUST HAVE THEIR FINGERPRINTS TAKEN WITHIN 30 DAYS AFTER RECEIVING NOTIFICATION AND RETURN THEM TO THE REGULATORY BOARD TOGETHER WITH THE FEE TO SUBMIT TO THE REPOSITORY.

9. CORRESPONDENCE WAS READ AND REVIEWED.

10. THERE WERE NO PUBLIC COMMENTS.

11.\*\* THE BOARD MEMBERS WERE ASKED TO CONSULT THEIR CALENDARS, AND TUESDAY, NOVEMBER 1, 2005 AT 9:30 A.M., WAS DECIDED UPON AS THE MEETING DATE FOR THE NEXT QUARTERLY MEETING, TO BE HELD AT THE GRANT SAWYER BUILDING IN LAS VEGAS. TERRY PEDROTTI WAS ASKED TO ARRANGE FOR THE MEETING ROOM.

12.\*\* SINCE THERE WAS NO FURTHER BUSINESS, ARNOLD GREENHOUSE MOVED TO ADJOURN THE MEETING AT 12:30 P.M. DOUGLAS SINCLAIR SECONDED THE MOTION, AND THE MOTION WAS CARRIED.

RESPECTFULLY SUBMITTED,

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TERRY PEDROTTI, EXECUTIVE SECRETARY

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DONNA J. ROSE, SECRETARY/TREASURER